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Casey diverts attention from the real security problem

By Edwin Guthman
Editor of The Inquirer

Rather than an exercise in damage control, could it be that CIA Director William J. Casey's threat to the press in asking the Justice Department to consider prosecuting NBC News for violation of a 1950 law against disclosures of "communications intelligence" was a case of locking the door after the horse was stolen and then painting the barn to make people think the horse was still there?

That's as logical an explanation as any, considering what the government admitted in the espionage trial of Ronald W. Pelton, a former communications specialist for the National Security Agency, who was convicted Thursday of selling secrets to the Soviet Union.

Casey marched up the hill last month as Pelton's trial was getting under way in Baltimore to complain about NBC Correspondent James Polk's report during a 7 a.m. news segment of the "Today Show."

What Polk said in part was "Pelton apparently gave away one of the NSA's most sensitive secrets — a project with the code name Ivy Bells — believed to be a top secret eavesdropping program by American submarines inside Soviet harbors."

"If true," Casey said in a statement read to executives of other networks, that violated "the prohibitions of 18 USC (U.S. Code) 793 against publishing any classified information concerning the communications intelligence activities of the United States."

But then in Pelton's trial, government prosecutors and witnesses outlined five top secret NSA intelligence-gathering projects that Pelton allegedly told the Soviets about. Pelton was portrayed by Assistant U.S. Attorney John Douglass as an encyclopedia of information about how NSA goes about collecting and intercepting Soviet radio, microwave and cable communications.

So what was so sensitive about what Polk reported?

Apparently the disclosure of the code name Ivy Bells, but it stands to reason that if Pelton unloaded details of what he knew about NSA projects as the government contended, he also disclosed their code names.

And if the Soviets knew that Navy submarines had the capability to intercept high-level Soviet military messages and other communications — as they most likely did before Pelton walked in their embassy in Washington and turned informer — Casey couldn't have been really concerned about what Polk reported at that late date.

In fact, last November, according to the Washington Post, during Pelton's bail hearing, his lawyer disclosed in open court that Ivy Bells was one of the operations Pelton allegedly compromised.

No, what Casey was doing was being sort of a loose cannon aimed at intimidating NBC, the Washington Post (which also was under administration pressure not to write about the eavesdropping system) and the media in general.

In pointing a threatening finger at the press, Casey also may have been trying to divert attention from the fact that Pelton's trial would be another glaring example that the CIA, FBI and other federal security agencies have been asleep at the switch while an unnerving number of low-level U.S. employees dealt sensitive information to the Soviets.

Pelton was making \$24,000 a year when he retired from the NSA in 1979 after 14 years as a communications specialist. In January 1980, having suffered financial reverses and undergoing a "mid-life crisis," according to his defense lawyer, he made two telephone calls to the Soviet embassy that were overheard and recorded by the FBI.

Then he went to the embassy and did what many other recent American spies have done, began selling secrets not for political or ideological reasons but for money — \$35,000 and expenses — until last September.

Federal agents got on Pelton's trail only because a high-level KGB defector, Vitaly Yurchenko, blew his cover. Yurchenko is the man who gave his CIA handlers the slip in a Washington restaurant last November and returned to the Soviet Union.

Another traitor fingered by Yurchenko, Edward L. Howard, the first CIA agent known to have collaborated with the Soviets, escaped last fall from FBI surveillance by a ruse and is a fugitive, believed to be on the run in Central America.

Last week, the day before Pelton was found guilty of espionage, in Washington a former civilian Navy counterintelligence analyst, Jonathan Jay Pollard pleaded guilty to passing U.S. military secrets to a spy operation directed by Israeli officials.

And in San Francisco, the government continued presenting its case in the trial of former Navy radioman, Jerry Whitworth, accused of selling Navy code secrets to the Soviets as a member of the long-running espionage ring that his fellow Navy radioman John Walker has admitted operating.

The Justice Department has expressed extreme reluctance to comply with Casey's request to prosecute NBC News and Casey has watered down his threat to a plea to journalists to cooperate in efforts to reduce disclosures of highly classified information.

That's sensible. The depressing number of U.S. employees selling out the country makes it clear that a watchful, free press should be the least of Casey's worries.